

1 Randall T. Garteiser (CA State Bar No. 231821)
rgarteiser@ghiplaw.com
2 Christopher A. Honea (CA State Bar No. 232473)
chonea@ghiplaw.com
3 GARTEISER HONEA – IP TRIAL BOUTIQUE
119 W Ferguson, Tyler, TX 75702
4 Telephone: (888) 908-4400

5 *Attorneys for Plaintiff*

6
7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

9 **SOCIAL POSITIONING INPUT**
SYSTEMS, LLC,

10 **Plaintiff,**

11 **vs.**

12 **SOS CO., INC. D/B/A/ DOGTRA CO.**

13 **Defendants.**

§
§
§
§
§
§
§
§
§
§
§

Case No: 8:24-cv-844

PATENT CASE

JURY TRIAL DEMANDED

14
15 **COMPLAINT FOR PATENT INFRINGEMENT**

16 1. Plaintiff Social Positioning Input Systems, LLC (“Plaintiff” and/or “SPIS”) files this
17 Complaint for infringement of United States Patent No. 9,261,365 (hereinafter “the ’365 Patent”).
18


19 **PARTIES**

20 2. Plaintiff is a Wyoming limited liability company having an address at 1 East Broward
21 Boulevard, Suite 700, Ft. Lauderdale, FL 33301.



22 3. Defendant SOS Co., Inc. d/b/a Dogtra Co. has its headquarters 12322 Monarch Street,
23 Garden Grove, CA 92841, with a registered agent for service listed as Min Jae So at the same address.
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

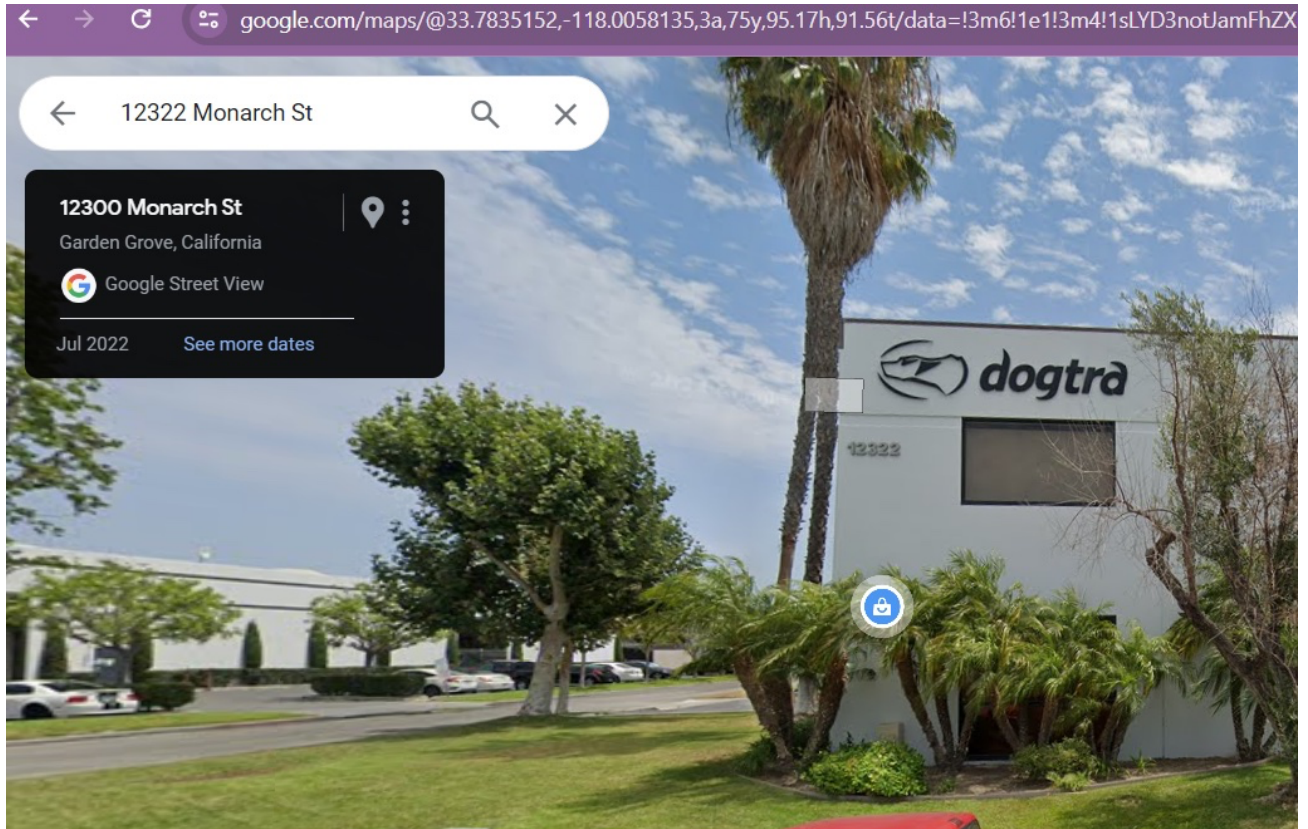
SOS CO., INC. (1757955)


Request Certificate

Initial Filing Date	02/01/1995
Status	Active
Standing - SOS	Good
Standing - FTB	Good
Standing - Agent	Good
Standing - VCFCF	Good
Formed In	CALIFORNIA
Entity Type	Stock Corporation - CA - General
Principal Address	12322 MONARCH STREET GARDEN GROVE, CA 92841
Mailing Address	12322 MONARCH STREET GARDEN GROVE, CA 92841
Statement of Info Due Date	02/28/2025
Agent	Individual MIN JAE SO 12322 MONARCH STREET GARDEN GROVE, CA 92841

View HistoryRequest Access

4. On information and belief an additional facility at 12300 Monarch Street, Garden Grove, CA 92841.



JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States, 35 U.S.C. § 271, et seq. Plaintiff is seeking damages for patent infringement.

6. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents). Venue is proper in this District as to Defendant pursuant to at least 28 U.S.C. §§ 1391(c)(2) and 1400(b). As noted above, Defendant maintains a regular and established business presence in this District.

PATENT-IN-SUIT

7. Plaintiff is the sole and exclusive owner, by assignment, of U.S. Patent No. 9,261,365 (hereinafter “the SPIS Patent” or “the ’365 Patent”). The ’365 Patent is attached as Exhibit A.

8. The SPIS Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. It is anticipated to not expire until April 28, 2026.

9. The priority date of the SPIS Patent is at least as early April 28, 2006. As of the priority

1 date, the inventions as claimed were novel, non-obvious, unconventional, and non-routine.

2 10. Plaintiff alleges infringement on the part of Defendant of the SPIS Patent.

3 11. The '365 Patent relates generally to devices, systems and methods for remotely
4 entering, storing and sharing location addresses for a positional information device, e.g., a global
5 positioning system (GPS) device. The devices, systems and methods of the '365 Patent allow a user
6 to easily and safely enter an address into a GPS device by giving that address to a remote
7 communications link and to have that link automatically program the user's GPS device for usage.
8 The devices, systems and methods of the '365 Patent further allow the user to use this stored
9 address(es) on multiple GPS devices without having to manually enter the address(es). *See* Abstract,
10 '365 Patent.
11

12 12. As noted, the claims of the SPIS Patent have priority to at least April 28, 2006. The
13 deficiencies in the state of the art as of the Date of Invention were highly problematic. At that time,
14 programming addresses (e.g., destination information) into a GPS device was problematic. The
15 first problem is that different devices recognize addresses differently depending on the
16 preprogrammed information that has been stored. Additionally, different devices have different
17 user interfaces and program differently. If a user knew how to program one device, he may not
18 necessarily know how to program another unit.
19

20 13. A second problem in the state of the art as of the Date of Invention is that many users
21 have multiple vehicles that go to the same address and require route guidance by the GPS device.
22 The current systems would require the user to enter the requested address (e.g., destination
23 information) or multiple addresses into all vehicle units individually. This is an unnecessary
24 waste of time.
25

26 14. A third problem in the state of the art as of the Date of Invention is that many times
27 a user needs to route to an address or destination while the user is driving. It may be an address
28 that the user does not even have a correct city designation for. The GPS devices as of the Date of

1 Invention made it extremely difficult or impossible for a user to program the device for an address
2 while driving. In fact, for reasons of safety, some GPS devices discourage or lock out users from
3 address entry while the vehicle is being operated. However, a definite need exists for a user to
4 quickly program the GPS device to a desired address. *See* '365 Patent at 1:54-2:42.

5 15. The claims of the SPIS Patent overcome deficiencies existing in the art as of the date
6 of invention, and comprise non-conventional approaches that transform the inventions as claimed
7 into substantially more than mere abstract ideas.

8 16. The claims of the SPIS Patent are not drawn to laws of nature, natural phenomena, or
9 abstract ideas. The specific combinations of elements, as recited in the claims, was not conventional
10 or routine at the time of the invention.

12 17. Further, the claims of the SPIS Patent contain inventive concepts which transform the
13 underlying non-abstract aspects of the claims into patent-eligible subject matter.

14 18. The '365 Patent was examined by Primary United States Patent Examiner Ian Jen.
15 During the examination of the '365 Patent, the United States Patent Examiner searched for prior art
16 in the following US Classifications: G01C 21/00; G08G 1/005; G08G 1/09685; G08G 1/096816;
17 G08G 1/096866; and G08G 1/096883.

19 19. After conducting a search for prior art during the examination of the '365 Patent, the
20 United States Patent Examiner identified and cited the following as the most relevant prior art
21 references found during the search: US_6,073,075; US 6,202,023; US 6,584,402; US 7,084,872; US
22 7,523,417; US 2002/0154173; US 2002/0156578; US 2003/0018428; US 2003/0018887; US
23 2003/0050751; US 2003/0055530; US 2003/0126264; US 2004/0066330; US 2004/0068567; US
24 2004/0228489; US 2006/0041374; US 2006/0094353; US 2006/0240860; US 2007/0143015; US
25 2009/0073254; US 2011/0273570; and US 2011/02733579.

27 20. After giving full proper credit to the prior art and having conducted a thorough search
28 for all relevant art and having fully considered the most relevant art known at the time, the United

1 States Patent Examiner allowed all of the claims of the '365 Patent to issue. In so doing, it is
2 presumed that Examiner Jen used his knowledge of the art when examining the claims. *K/S Himp*
3 *v. Hear-Wear Techs., LLC*, 751 F.3d 1362, 1369 (Fed. Cir. 2014). It is further presumed that
4 Examiner Jen had experience in the field of the invention, and that the Examiner properly acted in
5 accordance with a person of ordinary skill. *In re Sang Su Lee*, 277 F.3d 1338, 1345 (Fed. Cir. 2002).
6 In view of the foregoing, the claims of the '365 Patent are novel and non-obvious, including over all
7 non-cited art which is merely cumulative with the referenced and cited prior art. Likewise, the claims
8 of the '365 Patent are novel and non-obvious, including over all non-cited contemporaneous state of
9 the art systems and methods, all of which would have been known to a person of ordinary skill in the
10 art, and which were therefore presumptively also known and considered by Examiner Jen.

12 21. The '365 Patent is a pioneering patent, and has been cited as relevant prior art in
13 numerous subsequent United States Patent Applications, including Applications assigned to such
14 technology leaders as Qualcomm, Inc., IBM Corporation, Garmin Ltd., Sony Corp., and Apple, Inc.

16 22. The claims of the '365 Patent were all properly issued, and are valid and enforceable
17 for the respective terms of their statutory life through expiration, and are enforceable for purposes of
18 seeking damages for past infringement even post-expiration. *See, e.g., Genetics Institute, LLC v.*
19 *Novartis Vaccines and Diagnostics, Inc.*, 655 F.3d 1291, 1299 (Fed. Cir. 2011) (“[A]n expired patent
20 is not viewed as having ‘never existed.’ Much to the contrary, a patent does have value beyond its
21 expiration date. For example, an expired patent may form the basis of an action for past damages
22 subject to the six-year limitation under 35 U.S.C. § 286”) (internal citations omitted).

24 23. The nominal expiration date for the claims of the '365 Patent is no earlier than April
25 28, 2026.

26 **COUNT I**
27 **(INFRINGEMENT OF UNITED STATES PATENT NO. 9,261,365)**

28 24. Plaintiff refers to and incorporates the allegations in Paragraphs 1 - 23, the same as if

1 set forth herein.

2 25. This cause of action arises under the patent laws of the United States and, in particular
3 under 35 U.S.C. §§ 271, *et seq.*

4 26. Defendant has knowledge of its infringement of the '365 Patent, at least as of the
5 service of the present complaint.

6 27. The '365 Patent is valid, enforceable, and was duly issued in full compliance with
7 Title 35 of the United States Code.

8 28. Upon information and belief, Defendant has infringed and continues to infringe one
9 or more claims, including at least Claim 1 of the '365 Patent, by manufacturing, using, importing,
10 selling, offering for sale, and/or providing (as identified in the Claim Chart attached hereto as Exhibit
11 B).

12 29. Defendant also has and continues to directly infringe, literally or under the doctrine of
13 equivalents, at least claim 1 of the '365 Patent by having its employees internally test and use the
14 Accused Instrumentalities.

15 30. The service of this Complaint, in conjunction with the attached claim chart (**Exhibit**
16 **B**) and references cited, constitutes actual knowledge of infringement as alleged here.

17 31. Despite such actual knowledge, Defendant continues to make, use, test, sell, offer for
18 sale, market, and/or import into the United States, products (which include at least the Accused
19 Instrumentalities) that infringe the '365 Patent. On information and belief, Defendant has also
20 continued to sell products and distribute product literature and website materials inducing end users
21 and others to use its products in the customary and intended manner that infringes the '365 Patent.
22 *See Exhibit B* (extensively referencing these materials to demonstrate how they direct end users to
23 commit patent infringement).

24 32. At least since being served by this Complaint and corresponding claim chart,
25
26
27
28

1 Defendant has actively, knowingly, and intentionally continued to induce infringement of the '365
2 Patent, literally or by the doctrine of equivalents, by selling the Accused Instrumentalities to their
3 customers for use in end-user products in a manner that infringes one or more claims of the '365
4 Patent.

5 33. Exhibit A includes at least one chart comparing the exemplary claim 1 of the '365
6 Patent to the Accused Instrumentalities. As set forth in this chart, the Accused Instrumentalities
7 practice the technology claimed by the '365 Patent. Accordingly, the Accused Instrumentalities
8 incorporated in this chart satisfy all elements of exemplary claim 1 of the '365 Patent.

10 34. Plaintiff therefore incorporates by reference in its allegations herein the claim chart of
11 Exhibit B.

12 35. Plaintiff is entitled to recover damages adequate to compensate for Defendant's
13 infringement.

14 36. Defendant's actions complained of herein will continue unless Defendant is enjoined
15 by this court.

17 37. Defendant's actions complained of herein are causing irreparable harm and monetary
18 damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained
19 by this Court.

20 38. Plaintiff is in compliance with 35 U.S.C. § 287.

21 **DEMAND FOR JURY TRIAL**

22 39. Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by
23 jury of any issues so triable by right.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiff asks the Court to:

26 (a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;
27
28

1 (b) Enter an Order enjoining Defendant, its agents, officers, servants, employees,
2 attorneys, and all persons in active concert or participation with Defendant who receive notice of the
3 order from further infringement of United States Patent No. 9,261,365 (or, in the alternative, awarding
4 Plaintiff running royalties from the time of judgment going forward);

5 (c) Award Plaintiff damages resulting from Defendant's infringement in accordance with
6 35 U.S.C. § 284;

7 (d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

8 (e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under
9 law or equity.
10
11
12

13 Dated: April 16, 2024

Respectfully filed and served,
GARTEISER HONEA, PLLC

15 /s/ Randall Garteiser

16 Randall Garteiser

CA State Bar No. 231821

17 rgarteiser@ghiplaw.com

18 Christopher A. Honea

CA State Bar No. 232473

19 chonea@ghiplaw.com

GARTEISER HONEA, PLLC

20 119 W. Ferguson Street

21 Tyler, Texas 75702

Telephone: (903) 705-7420

22 **Attorneys for Plaintiff**
23
24
25
26
27
28